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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the Application of: **Hidekazu SATO et al.**

Group Art Unit: **2818**

Serial No.: **10/665,210**

Examiner: **Tu-Tu V. Ho**

Filed: **September 22, 2003**

Confirmation No.: **5736**

For: **SEMICONDUCTOR DEVICE AND METHOD FOR
MANUFACTURING THE SAME**

Attorney Docket Number: **031179**

Customer Number: **38834**

**RESPONSE TO RESTRICTION and ELECTION OF SPECIES
REQUIREMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

September 2, 2004

Sir:

This paper is submitted in response to the Official Action dated August 4, 2004.

In the Action, restriction is required between Group (I), Claims 1-12; and Group (II), Claims 13-25, and an election of species is required between Species (I), Figs. 5A-5L; and Species (II), Figs. 6A-6E.

Applicants hereby elect the subject matter of Group (I), Claims 1-12, and Species (I), Figs. 5A-5L for prosecution in this application. It is believed that claims 1, 4, 6, 7, 9 and 11 read on the elected species. This election is made without traverse, and it is understood that Applicant's rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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